IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2409 OF 2007

Shri Datta Ananta Bhoir. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ms.V.S.Mhaispurkar i/b. Sameer Mangaonkar
for the applicant.

Rajesh More, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 9th August 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.I-96/2005 registered with Kalyan Taluka Police Station for the offences punishable under sections 307, 147, 148, 149, 325, 324, 504 and 506 of Indian Penal Code on the basis of complaint lodged by one Shantaram Jayant Karale.

3. One Mohan Karale, brother of the complainant, in his statement recorded on 14th October, 2005, has stated that Datta Ananta Bhoir, i.e. the present applicant attacked on him and caused injury by chopper near to his right eye. The complainant- Shataram

Karale has also stated that present applicant caused injury by chopper near right eye of Mr.Mohan. As against this, the Injury Certificate issued by the Medical Officer, Central Hospital, Ulhasnagar, in respect of Mr.Mohan Karale, nowhere shows any injury near his right eye. Under these circumstances, in my view, applicant would be entitled to bail. I am, therefore, inclined to grant bail in favour of the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.I-96/2005 registered with Kalyan Taluka Police Station, shall be enlarged on bail in the sum of Rs.25,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to Kalyan Taluka Police Station once in a week, i.e. on every Monday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of

trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not, in any manner, tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE